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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ICE CONSULTING, INC., UZAIR
SATTAR, and DERICK NEEDHAM

Plaintiffs and Counter-
Defendants,

vs.

GAVIN JENSEN,

Defendant and Counter-
Claimant.

Case No: 3:16-cv-04349-EMC

**STIPULATION TO VACATE
WITHOUT PREJUDICE THE
HEARING ON ICE CONSULTING,
INC.'S MOTION TO DISMISS
AND CASE MANAGEMENT
CONFERENCE; [PROPOSED]
ORDER**

Current Date of CMC and Hearing:
Feb. 2, 2017

Trial: Not Set

Case No. 3:16-cv-04349-EMC

STIPULATION TO VACATE WITHOUT PREJUDICE THE HEARING ON ICE
CONSULTING, INC.'S MOTION TO DISMISS AND CASE MANAGEMENT
CONFERENCE; [PROPOSED] ORDER

Pursuant to Local Rule 6-2, Plaintiffs and Counter-Defendants ICE Consulting, Inc. (“ICE”), Uzair Sattar, and Derick Needham (collectively, “Plaintiffs”), and Defendant and Counter-Claimant Gavin Jensen (“Defendant”) (Plaintiffs and Defendant are herein referred to collectively as the “Parties”), by and through their respective counsel, hereby enter into this Stipulation to Vacate Without Prejudice the Hearing on ICE’s Motion to Dismiss and the Case Management Conference set for February 2, 2017.

WHEREAS, on December 9, 2016, the Parties reached a settlement in principle. Crane Dec., ¶ 2.

WHEREAS, on January 25, 2017, after continued negotiation and discussions, the Parties reached agreement on all the terms of a formal, written settlement agreement. Crane Dec., ¶ 3.

WHEREAS, on January 25, 2017, counsel for the Parties received a request from the clerk of this Court regarding the status of the Parties’ settlement in light of the upcoming hearing on ICE’s Motion to Dismiss on February 2, 2017. Crane Dec., ¶ 4.

WHEREAS, on January 25, 2017, counsel for Plaintiffs responded to the clerk of this Court that (1) the Parties had just finally come to terms on the language of their written settlement agreement and were in the process of exchanging signatures; and (2) the Parties intend to file a Joint Motion requesting the Court to retain jurisdiction to enforce the settlement agreement once signatures had been exchanged, followed by a Joint Request for Dismissal. Crane Dec., ¶ 4.

WHEREAS, in response, on January 27, 2017, the clerk of this Court requested that the Parties submit a stipulation vacating the hearing date on ICE’s Motion to Dismiss without prejudice to being re-noticed if necessary, in order to avoid the Court spending unnecessary time preparing for the Motion. Crane Dec., ¶ 5.

1 THEREFORE, THE PARTIES HEREBY STIPULATE:

2 That the hearing on ICE's Motion to Dismiss and the Case Management
3 Conference set for February 2, 2017, at 1:30 p.m. be vacated without prejudice to
4 be re-noticed at a later date if necessary.

5 IT IS SO STIPULATED.

6
7 Date: January 27, 2017

NOSSAMAN LLP
VERONICA M. GRAY
ANDREW C. CRANE

8
9 By: /s/ Andrew C. Crane

10 Andrew C. Crane

11 Attorneys for Plaintiffs and Counter-
12 Defendants
13 ICE Consulting, Inc.; Uzair Sattar;
and Derick Needham

14 Date: January 27, 2017

DHILLON LAW GROUP INC

15
16 By: /s/ Nitoj P. Singh

17 Nitoj P. Singh

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ORDER

PURSUANT TO THE STIPULATION AND GOOD CAUSE APPEARING, IT IS SO ORDERED that the hearing on Plaintiff ICE Consulting, Inc.'s Motion to Dismiss, and the Case Management Conference, set February 2, 2017 at 1:30 P.M. is VACATED without prejudice to being re-noticed at a later date if it becomes necessary.

A Further CMC is set for 3/2/2017 at 10:30 a.m.
An updated joint CMC statement shall be filed by
2/23/17.

